

Exhibit 1

Jeffrey S. Kerr
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August 5, 2024

VIA E-MAIL: sa208i@nih.gov; monica.bertagnolli@nih.gov
 AND FIRST CLASS MAIL

Shelli Avenevoli, Ph.D., Acting Director
 National Institute of Mental Health
 6001 Executive Boulevard
 Rockville, MD 20852

Monica M. Bertagnolli, Director
 National Institutes of Health
 9000 Rockville Pike,
 Bethesda, MD 20892

Re: Communications from Rhesus Macaques

Dear Directors Avenevoli and Bertagnolli,

On behalf of People for the Ethical Treatment of Animals, Inc. (“PETA”), I write to respectfully request prompt access to real-time audiovisual communications from the rhesus macaques, including Sam Smith, Guinness, Nick Nack, and Beamish, who are confined in Elisabeth Murray Ph.D.’s laboratory at the National Institute of Mental Health (“NIMH”) in Bethesda, Maryland. The macaques engage in extensive communications about their confinement and the impact of the experiments inflicted on them, according to animal behavior experts. PETA has a constitutional right to receive those communications, without censorship or interference, to report to the American taxpayers who fund Murray’s experiments.

An integral part of PETA’s charitable animal protection work is extensive newsgathering and reporting on the plight of animals subjected to experiments in laboratories, including at the National Institutes of Health (“NIH”) generally and Murray’s laboratory specifically. It is PETA’s right under the First Amendment to the U.S. Constitution to receive communications from the macaques as willing speakers about their situation. *See, e.g., Virginia State Bd. of*

PEOPLE FOR
 THE ETHICAL
 TREATMENT
 OF ANIMALS
 FOUNDATION

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 Washington, DC 20036
 202-483-PETA

Los Angeles
 2154 W. Sunset Blvd.
 Los Angeles, CA 90026
 323-644-PETA

Norfolk
 501 Front St.
 Norfolk, VA 23510
 757-622-PETA

PETA FOUNDATION IS AN OPERATING
 NAME OF THE FOUNDATION TO
 SUPPORT ANIMAL PROTECTION.

ENTITIES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

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Monica M. Bertagnolli, Director

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Pharmacy v. Virginia Citizens Consumer Council, Inc., 425 U.S. 748, 756–57 (1976) (collecting numerous cases).

Audiovisual technology is regularly used in NIH and NIMH laboratories, including Murray's, so this request should not impose an undue burden on NIMH. Because NIH and NIMH severely restrict the audiovisual material created or made available to the public in responding to Freedom of Information Act ("FOIA") requests, FOIA is not a viable alternative to satisfy PETA's constitutional right to receive the macaques' communications.

The requested live feed must contain audio to hear the macaques' vocalizations and clear video sufficient to see the macaques' body postures, gestures, facial expressions, and other observable communications while in their cages, in the presence of laboratory staff, when being collected and prepared for experimentation, and while being experimented on.

There is nothing confidential or trade secret in the macaque communications or in the procedures to which they are subjected that may be captured on the audiovisual feed. PETA has no interest in the identities of NIMH staff members and believes their privacy will be adequately protected by the masks and personal protective equipment they wear while interacting with the macaques.

Finally, PETA is willing to consider your alternative solutions to timely, uncensored access to the macaques' communications. Given the importance of this matter, we ask for your substantive response accepting, rejecting, or suggesting an alternative within thirty (30) days. Your non-response will be considered a rejection of PETA's request.

Please direct all correspondence in this matter to me and thank you for your consideration.

Very truly yours,



Jeffrey S. Kerr